

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BMO HARRIS BANK N.A.,

Plaintiff,

vs.

CANNING LOGISTICS SERVICE LLC
and DORAN POST,

Defendants.

8:17CV461

ORDER

This matter is before the court on defendant Doran Post's motion to set aside default, [Filing No. 13](#). This is an action brought by Plaintiff BMO Harris Bank N.A. (the "Bank") on a Loan Agreement with Defendant Canning Logistics Service LLC ("Canning Logistics") as well as an individual guaranty purportedly executed by Defendant Doran Post ("Post"). This court has jurisdiction under [28 U.S.C. § 1332](#).

Post was served on March 5, 2018. On April 4, 2018, the Bank filed its Motion for Entry of Default which was entered by the Clerk on the same date. [Filing No. 10](#). Post moves to set aside the clerk's entry of default against him. The plaintiff does not oppose defendant Post's motion. The court finds the motion should be granted. Accordingly,

IT IS ORDERED:

1. Defendant Doran Post's motion to set aside default ([Filing No. 13](#)) is granted.
2. The Clerk's entry of default ([Filing No. 10](#)) is set aside with respect to defendant Doran Post.

3. Defendant Post shall answer or otherwise plead within three weeks of the date of this order.

Dated this 31st day of August, 2018.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge